

REMARKS

This responds to the Office Action mailed on May 2, 2007.

Claims 1, 7-10, 15-17, 21, 25, 30, 34, 35, 37, and 44 are amended, no claims are canceled, and no claims are added; as a result, claims 1-45 are now pending in this application. The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

Claim Objections

Claim 10 was objected to for an informality. Claim 10 is amended to make the appropriate correction.

Claim 30 was objected to for an informality. Claim 30 is amended to make the appropriate correction.

First §101 Rejection of the Claims

Claims 15-20 were rejected under 35 U.S.C. § 101. Applicant traverses these grounds of rejection of these claims.

In the Office Action, it is stated that “signal-bearing medium, which is not a tangible medium.” Claim 15 recites, in part, a “signal-bearing medium encoded with instructions, wherein the instructions when executed comprise.” Applicant submits that for a signal-bearing medium to be encoded with instructions, it is tangible. Since a computer-readable medium is a species of a signal-bearing medium, the § 101 analysis should be conducted in the same manner as for a computer-readable medium. Claim 15, as amended, includes displaying a tree and compressing a plurality of node, which are tangible results. Therefore, Applicant submits that claim 15 and its dependent claims satisfy the statutory requirements of 35 U.S.C. § 101.

Applicant respectfully requests withdrawal of these rejections of claims 15-20, and reconsideration and allowance of these claims.

Second §101 Rejection of the Claims

Claims 25-29 were rejected under 35 U.S.C. § 101. Applicant traverses these grounds of rejection of these claims.

In the Office Action, it is stated that “the claim is directed toward a user interface that has no functionality.” Claim 25 recites, in part, “[i]n a graphical user interface, a method for displaying,” which is a method claim. In addition, displaying data graphically as a navigation path positioned relative to a timeline and compressing the data items provides a function that has a tangible result. Therefore, Applicant submits that claims 25-29 satisfy the statutory requirements of 35 U.S.C. § 101.

Applicant respectfully requests withdrawal of these rejections of claims 25-29, and reconsideration and allowance of these claims.

Third §101 Rejection of the Claims

Claims 30-43 were rejected under 35 U.S.C. § 101. Applicant traverses these grounds of rejection of these claims.

In the Office Action, it is stated that “the machine-accessible medium could be interpreted to be the communication medium of page 15 of the specification.” Therefore, the alleged issue “could be interpreted” is one of breadth and not non-statutory matter. Further, a claim may be broad enough to read on various embodiments as long as the claim is not indefinite.

Applicant respectfully requests withdrawal of these rejections of claims 30-43, and reconsideration and allowance of these claims.

Fourth §101 Rejection of the Claims

Claims 44 and 45 were rejected under 35 U.S.C. § 101. Applicant traverses these grounds of rejection of these claims.

In the Office Action, it is stated that “the claim is toward a user interface that has no functionality.” Claim 44 recites, in part, “being compressible based on a number of delimiters in addresses associated with the one or more nodes” and the “nodes are positioned in relation to a

time on the timeline that a data item of a node is accessed,” which are functional. Therefore, Applicant submits that claims 44 and 45 satisfy the statutory requirements of 35 U.S.C. § 101.

Applicant respectfully requests withdrawal of these rejections of claims 44 and 45, and reconsideration and allowance of these claims.

§102 Rejection of the Claims

Claims 1-3, 6-16, and 18-45 were rejected under 35 U.S.C. § 102(e) for anticipation by McKnight et al., (U.S. 2005/0086613). Applicant traverses these grounds of rejection of these claims.

Applicant cannot find in McKnight et al. (hereafter McKnight) a disclosure, a teaching, or a suggestion of method of displaying a parent node and two child nodes of the parent node in the same tree in which a connector between the parent node and one child node has a format different from a format of a connector between the parent node and the other child, as recited in amended claim 1. Therefore, Applicant submits that McKnight does not teach each and every claim element of claim 1, that McKnight does not teach the identical invention in as complete detail as is contained in claim 1, and/or that McKnight does not teach each and every claim element arranged as in claim 1. Thus, Applicant submits that McKnight does not anticipate claim 1 and claim 1 is patentable over McKnight.

For at least reasons similar to those discussed with respect to claim 1, Applicant submits that independent claims 9, 21, and 34 are patentable over McKnight. Further, claims dependent from patentable independent claims 1, 9, 21, and 34 are patentable.

Claim 17 was objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Original claim 17 depended on claim 16 that depended on base claim 15. Claim 15 is amended to include the features of claims 16 and 17. Therefore, based on at least the determination in the Office Action that original claim 17 was patentable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, claim 15 is patentable. Independent claims 25, 30, and 44 are amended to include features similar to those of original claim 17. For at least reasons similar to those stated for independent claim 15, Applicant submits that independent claims 25, 30, and 44 are

patentable over McKnight. Further, claims dependent from patentable independent claims 15, 25, 30, and 44 are patentable over McKnight for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 1-3, 6-16, and 18-45, and reconsideration and allowance of these claims.

§103 Rejection of the Claims

Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McKnight. Applicant traverses these grounds of rejection of these claims.

Claims 4 and 5 depend from independent claim 1 that is patentable over McKnight. Therefore, claims 4 and 5 are patentable over McKnight for at least the reasons stated herein.

Applicant respectfully requests withdrawal of these rejections of claims 4 and 5, and reconsideration and allowance of these claims.

Allowable Subject Matter

Claim 17 was objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

For ease of prosecution, the features of claim 17 are amended into its base claim, claim 15, where features from intervening claim 16 are amended into claim 15. Thus, claim 15 is patentable and, since claim 17 depends from claim 15, claim 17 remains patentable.

Applicant respectfully requests withdrawal of these objections of claim 17, and reconsideration and allowance of this claim.

Assertion of Pertinence

Applicant has not responded to the assertion of pertinence stated for the patents cited, but not relied upon, by the Office Action since these patents are not relied upon as part of the rejections in this Office Action. Applicant is expressly not conceding they have any pertinence and reserves the right to respond more fully should any of them form a part of some future rejection.

RESERVATION OF RIGHTS

Applicant does not agree with one or more comments in the instant Office Action. However, Applicant has limited the discussion of the traversal of the Office Action rejections to such discussion as is necessary to efficiently expedite the prosecution of the abovementioned application. Applicant reserves the right to further address the comments of the Examiner at a later date if necessary.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 512.628.9324 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

TIM HOLMES

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

512.628.9324

Date 2 August 2007

By David R. Cochran
David R. Cochran
Reg. No. 46,632

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of August 2007.

David R. Cochran
Name

David R. Cochran
Signature